IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION

UNITED STATES OF AMERICA	§	
	§	
v.	§	NO. 6:17CR7
	§	JUDGE RC/JDL
DOUGLAS M. PICK	§	

INFORMATION

THE UNITED STATES ATTORNEY CHARGES:

General Allegations

At all times relevant to this Information:

1. The payor/offeror was the President and Chief Executive Officer (CEO) of Pharmaceutical Technologies, Inc. (PTI), a pharmacy benefits manager located in Omaha, Nebraska.

2. The recipient/offeree was the CEO of Healthfirst TPA, Inc. (Healthfirst), a service provider to employee welfare benefit plans covered by the Employee Retirement Income Security Act (ERISA).

COUNT 1

Violation: 18 U.S.C. § 1954
(Offer, Acceptance, or Solicitation
to Influence Operations of
Employee Benefit Plan)

On or about June 30, 2011, in the Eastern District of Texas, the defendant, **Douglas M. Pick**, did directly and indirectly give, offer, and promise to give and offer a fee, kickback, commission, money, and thing of value, that is approximately $22,611.75, to the recipient/offeree because of and with intent to influence the actions, decisions, and other duties of the recipient/offeree relating to questions and matters concerning the employee welfare benefit plans administered by Healthfirst, that is in exchange for the recipient/offeree's commitment (i) to use PTI as a pharmacy benefit service provider to Healthfirst plans, and (ii) to direct additional pharmacy benefit business to PTI.

All in violation of 18 U.S.C. § 1954.

NOTICE OF INTENT TO SEEK CRIMINAL FORFEITURE

Pursuant to 18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461(c)

1. The allegations contained in Count 1 of this information are realleged and incorporated by reference as though fully set forth herein for the purpose of alleging forfeiture to the United States of America of certain property in which the defendant has an interest.

2. Upon conviction of any violation of 18 U.S.C. § 1954, the defendant shall forfeit to the United States any property, real or personal, that constitutes or is derived from proceeds traceable to a violation of any offense constituting "specified unlawful activity," or a conspiracy to commit such offense, pursuant to 18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461(c).

3. The property which is subject to forfeiture, includes but is not limited to the following:

   A money judgment in the amount of $348,195.50, which represents proceeds of the offense.

4. Pursuant to 21 U.S.C. § 853(p), as incorporated by reference by 18 U.S.C. § 982(b), if any of the forfeitable property, or any portion thereof, as a result of any act or omission of the defendant:

   a. Cannot be located upon the exercise of due diligence;

   b. Has been transferred, or sold to, or deposited with a third party;

   c. Has been placed beyond the jurisdiction of the Court;

   d. Has been substantially diminished in value; or

e. Has been commingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States to seek the forfeiture of other property of the defendant up to the value of the above-described forfeitable properties, including, but not limited to, any identifiable property in the name of **Douglas M. Pick**.

4. By virtue of the commission of the offenses alleged in this indictment, any and all interest the defendants have in the above-described property is vested in the United States and hereby forfeited to the United States pursuant to 18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461(c).

All pursuant to 18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461(c), and the procedures set forth at 21 U.S.C. § 853, as made applicable through 18 U.S.C. § 982(b)(1).

BRIT FEATHERSTON
ACTING UNITED STATES ATTORNEY

/s/ Nathaniel C. Kummerfeld
NATHANIEL C. KUMMERFELD
ASSISTANT UNITED STATES ATTORNEY

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NOTICE OF PENALTY

COUNT 1

VIOLATION: Title 18, United States Code, Section 1954
Offer, Acceptance, or Solicitation to Influence Operations of Employee Benefit Plan

PENALTY: Imprisonment of not more than 3 years; a fine not to exceed $250,000, or twice any pecuniary gain to the defendant or loss to the victim(s); and not more than 1 year supervised release.

SPECIAL ASSESSMENT: $100.00